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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

THE UNITED STATES OF AMERICA

V.

ANDREY NESHCHERET

Case Number: 2:22-cr-00203-JAM

**STIPULATION AND ORDER TO  
CONTINUE STATUS CONFERENCE AND  
EXCLUDE TIME**

**Date: November 19, 2024**

**Time: 9:00 am**

**Judge: Hon John A. Mendez**

Plaintiff United States of America, by and through its counsel of record, and the  
Defendant, by and through each counsel of record, hereby stipulate as follows:

1. Attorney Hedberg was recently appointed to this case, and needs additional time  
to review discovery and review it with his client. in order to effectively advise Mr. Neshcheret of  
the potential ramifications if a conviction is had in the matter at bar.

2. By this stipulation, the parties now move to continue the status conference until  
February 11, 2025 at 9:00 am, and to exclude time between November 19, 2024, and February  
11, 2025 under Local Code T4. Plaintiff does not oppose this request.

3. The parties agree and stipulate, and request that the Court find the following:

a. The government has provided discovery associated with this case.

1           b. Counsel for the defendant desires time to consult with his client, to review the  
2 current charges, to conduct investigation and research related to the charges, to review and copy  
3 discovery for these matters and to discuss potential resolutions with his client.

4           c. The Government has tendered a proposed plea agreement to Defendant. This plea  
5 agreement has raised issues that will require further investigation by both parties to resolve.

6           d. Defense Counsel has requested several items relevant to sentencing. The Government  
7 has agreed to produce those items. Defendant is awaiting their production.

8           Counsel for the defendant believes that failure to grant the above-requested continuance  
9 would deny him the reasonable time necessary for effective preparation, taking into account the  
10 exercise of due diligence.

11           d. The government does not object to the continuance.

12           e. Based on the above-stated findings, the ends of justice served by continuing the  
13 case as requested outweigh the interest of the public and the defendant in a trial within the  
14 original date prescribed by the Speedy Trial Act.

15           f. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
16 et seq., within which trial must commence, the time period of November 19, 2024, to February  
17 11, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local  
18 Code T4] because it results from a continuance granted by the Court at defendant's request on  
19 the basis of the Court's finding that the ends of justice served by taking such action outweigh the  
20 best interest of the public and the defendant in a speedy trial.

21           4. Nothing in this stipulation and order shall preclude a finding that other provisions of  
22 the Speedy Trial Act dictate that additional time periods are excludable from the period within  
23 which a trial must commence.  
24  
25

IT IS SO STIPULATED

Dated: November 14, 2024

Respectfully submitted

/s/ Olaf W. Hedberg

Olaf W. Hedberg  
Attorney for Andrey Neshcheret

/s/Matthew P. DeMoura

Matthew P. DeMoura  
Special Assistant US Attorney

**ORDER**

GOOD CAUSE APPEARING, it is hereby ordered that the November 19, 2024 status conference be **CONTINUED** to **February 11, 2025, at 9:00 a.m.** I find that the ends of justice warrant an exclusion of time and that the defendant's need for continuity of counsel and reasonable time for effective preparation exceeds the public interest in a trial within 70 days.

THEREFORE IT IS FURTHER ORDERED that time be excluded pursuant to 18 U.S.C. § 3161 (h) (7) (B) (ii) and Local Code T4 from the date of this order to February 11, 2025.

IT IS SO ORDERED.

Dated: November 18, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE